

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

228A0092

SENATE BILL NO. 152

Introduced by: Senators Aker and Hutmacher and Representatives Jorgensen, Barker, and Chicoine

1 FOR AN ACT ENTITLED, An Act to permit planning directors to approve certain plats.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 11-3-6 be amended to read as follows:

4 11-3-6. The provisions of this chapter ~~shall~~ apply to every addition to, or subdivision within,
5 any county, municipality or unincorporated town. If the land or any part ~~thereof~~ of the land
6 included in any addition or subdivision is within, adjoining, or contiguous to the boundaries of
7 any municipality, the plat, before being recorded, shall be submitted to the governing body
8 ~~thereof, which shall examine the same~~ or, if applicable, the planning director of the municipality.

9 If it appears that the system of streets set forth therein conforms to the system of streets of the
10 existing plats of the municipality, that all provisions of any subdivision regulations have been
11 complied with, that all taxes and special assessments upon the tract or subdivision have been fully
12 paid, and that such plat and the survey thereof have been executed according to law, the
13 governing body shall, ~~by resolution,~~ approve the ~~same~~ plat. The governing body may authorize
14 a designated administrative official of the municipality to approve plats in lieu of approval by the
15 governing body. The auditor or finance officer shall endorse on ~~such~~ the plat a copy of the

1 resolution or the designated administrative official's approval and certify to the same. No plat of
2 any such addition or subdivision so situated ~~shall be entitled to record or~~ is entitled to record or
3 may be recorded unless the ~~same~~ plat bears a copy of ~~such the~~ resolution or approval and
4 certificate of the auditor or finance officer. If the designated administrative official denies the plat
5 request, the person requesting the plat may appeal to the governing body.